

REMARKS

Claims 1, 2, 4-8, and 10 remain in the referenced application. Claims 1, 2, 4-8, and 10 have been amended. Claim 11 has been added.

Claims 1, 2, 4-8, and 10 stand rejected under 35 U.S.C. §112, second paragraph, on the basis the term “audio” with respect to the term “dispensing valve” is misdescriptive. Responsive thereto, Applicant has deleted the term “audio”, thereby rendering the above recited rejection moot. Applicant therefore respectfully requests the withdrawal of the 35 U.S.C. §112, second paragraph, rejection of claims 1, 2, 4-8, and 10.

Claims 2 and 10 stand rejected under 35 U.S.C. §112, first paragraph, on the basis the concept of deactivation by the sensor is not clearly set forth in the specification. Responsive thereto, Applicant has amended claims 2 and 10 to recite the language set forth in originally filed claim 2. In particular, claims 2 and 10 now recite that activation and deactivation occurs in cooperative engagement with the switch as the switch selectively activates the valve. Applicant respectfully submits this concept is clearly set forth in the specification. Applicant therefore respectfully requests the withdrawal of the 35 U.S.C. §112, first paragraph, rejection of claims 2 and 10.

Claim 1 stands rejected under 35 U.S.C. §103(a) by McCann et al. (U.S. Patent No. 3,647,115 – hereinafter referred to as McCann) in view of Whigham et al. (U.S. Patent No. 5,129,434 – hereinafter referred to as Whigham) further in view of Foster (U.S. Patent No. 6,125,482). As acknowledged by the Examiner, the McCann/Whigham combination does not disclose a sensor that monitors a switch in order to activate a sonic generator assembly responsive to the activation of the switch. The Examiner accordingly combines Foster with McCann and Whigham and asserts Foster discloses Applicant’s sensor. Applicant respectfully disagrees. Foster discloses an infrared sensor 109 adapted to sense the presence of a pair of hands in close proximity thereto. Once the infrared sensor 109 senses a pair of hands, the infrared sensor 109 initiates either a water rinse or a soap dispense. Although the infrared sensor 109 may initiate an alarm signal, the infrared sensor 109 nevertheless in no way senses activation of a switch

because the infrared sensor 109 only operates responsive to the presence of a pair of hands in close proximity thereto. The McCann/Whigham/Foster combination accordingly still does not include a sensor that senses activation of a switch because the infrared sensor 109 of Foster is completely incapable of monitoring switch activation. The McCann/Whigham/Foster combination accordingly by virtue of the disclosure contained in Foster requires the sensing of a pair of hands in order to create any type of activation therefrom. Applicant's invention of claim 1 in contrast specifically recites the sensor activates the sonic generator responsive to the switch activating the valve. Applicant therefore respectfully submits the McCann/Whigham/Foster combination does not disclose the sensor of claim 1 that activates a sonic generator assembly responsive to a switch activating a valve. Applicant thus respectfully submits the McCann/Whigham/Foster combination does not render claim 1 obvious.

Claim 8 stands rejected under 35 U.S.C. §103(a) by Whigham et al. (U.S. Patent No. 5,129,434 – hereinafter referred to as Whigham) in view of McCann et al. (U.S. Patent No. 3,647,115 – hereinafter referred to as McCann) further in view of Sacchetti (U.S. Patent No. 5,908,142) still further in view of McLennan et al. (U.S. Patent No. 4,343,043 – hereinafter referred to as McLennan). Responsive to the above-recited rejection, Applicant has amended claim 8 to recite a sonic generator assembly for providing audible information therefrom and a sensor linked with the sonic generator assembly and with a switch. Claim 8 has further been amended to recite the step of activating the sonic generator assembly responsive to the sensor sensing activation of the switch. The Whigham/ McCann/Sacchetti/McLennan combination does not disclose a sensor that activates a sonic generator assembly responsive to the sensor sensing the activation of a switch as the switch selectively activates the valve. Furthermore, as previously argued, Foster does not disclose Applicant's sensor. Applicant accordingly respectfully submits claim 8 as amended is not rendered obvious by the Whigham/ McCann/Sacchetti/McLennan combination.

Claim 11 has been added to recite the step of linking a volume adjustment with the audio unit for adjusting output volume of the acoustic signal projected from the audio unit.

In view of the foregoing, Applicant respectfully requests reconsideration of the rejected claims and consideration of the new claim. Applicant further earnestly solicits early allowance of the application.

Respectfully submitted,

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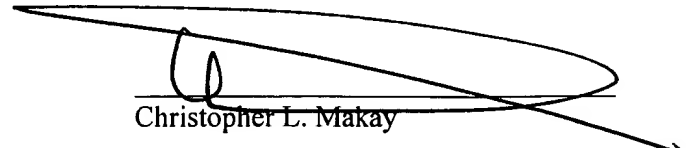
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